

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Markus Pompejus *et al.*

Serial No.: 09/606,740

Filed: June 23, 2000

For: "*Corynebacterium glutamicum* Genes Encoding Metabolic Pathway Proteins"

Attorney Docket No.: BGI-121CP

Group Art Unit: 1652

Examiner: C. Fronda

11/a
J.G.J
4/9/03

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APR 03 2003

TECH CENTER 1600/2900

Commissioner for Patents
Washington, D.C. 20231

"Express Mail" mailing label number EV 244 878 424 US Date of Deposit March 27, 2003
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Signature

Please Print Name of Person Signing

**PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION
REQUIREMENT**

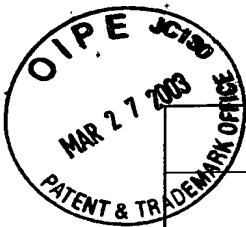
Dear Sir:

This paper is in response to an Office communication mailed September 27, 2002 (Paper No. 9). Prior to examination of the above-identified application, please amend the application as follows:

In the claims:

Please amend claims 1 and 3-7 as follows:

a! 1. (Amended) An isolated nucleic acid molecule comprising the nucleotide sequence of SEQ ID NO:1, SEQ ID NO:3, SEQ ID NO:7, SEQ ID NO:9, SEQ ID NO:11, SEQ ID NO:13, SEQ ID NO:15, SEQ ID NO:17, SEQ ID NO:21, or SEQ ID NO:23, or a complement thereof.



03-28-03

16629

AMENDMENT TRANSMITTAL LETTER

Docket No.
BGI-121CP

Application No.
09/606740

Filing Date
June 23, 2000

Examiner
C. Fronda

Art Unit
1652

Applicant(s): Markus Pompejus, *et al.*

Invention: CORYNEBACTERIUM GLUTAMICUM GENES ENCODING METABOLIC PATHWAY PROTEINS

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	50	- 52 =	0	x	0.00
Independent Claims	15	- 15 =	0	x	0.00
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>					0.00
Other fee (please specify): Extension for response within fifth month					1,970.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					1,970.00

☒ Large Entity

☐ Small Entity

☐ No additional fee is required for this amendment.

☒ Please charge Deposit Account No. 12-0080 in the amount of \$ 1,970.00.
A duplicate copy of this sheet is enclosed.

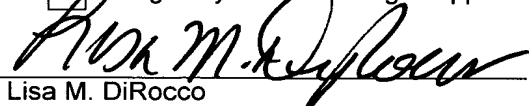
☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-0080 as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.



Lisa M. DiRocco
Attorney Reg. No.: 51,619

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400

Dated: March 27, 2003

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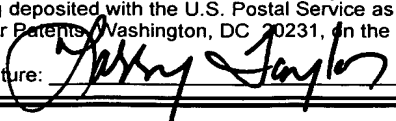
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Dated: March 27, 2003

Signature:

 (Larry Taylor)



PTO/SB/17 (01-03)
Approved for use through 04/30/2003. OMB 0651-0032
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,970.00

Complete if Known

Application Number 09/606740
Filing Date June 23, 2000
First Named Inventor Markus Pompejus
Examiner Name C. Fronda
Group Art Unit 1652
Attorney Docket No. BGI-121CP

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit
Account
Number

12-0080

Deposit
Account
Name

Lahive & Cockfield, LLP

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

			Extra Claims	Fee from below	Fee Paid
Total Claims	52	-52** =			0.00
Independent Claims	15	-15** =			0.00
Multiple Dependent					0.00

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for ex parte reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	410	2252	205	Extension for reply within second month
1253	930	2253	465	Extension for reply within third month
1254	1,450	2254	725	Extension for reply within fourth month
1255	1,970	2255	985	Extension for reply within fifth month
1401	320	2401	160	Notice of Appeal
1402	320	2402	160	Filing a brief in support of an appeal
1403	280	2403	140	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,300	2453	650	Petition to revive - unintentional
1501	1,300	2501	650	Utility issue fee (or reissue)
1502	470	2502	235	Design issue fee
1503	630	2503	315	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))
1810	750	2810	375	For each additional invention to be examined (37CFR 1.129(b))
1801	750	2801	375	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,970.00

SUBMITTED BY

Name (Print/Type) Lisa M. DiRocco

Registration No.
(Attorney/Agent)

51,619

Complete (if applicable)

Telephone (617) 227-7400

Signature

Lisa M. DiRocco

Date

March 27, 2003

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Dated: March 27, 2003

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Larry Taylor Larry Taylor